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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


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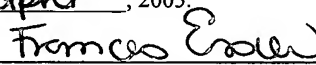
|                       |                        |                      |
|-----------------------|------------------------|----------------------|
| First Named Inventor: | Ulrich Diermann        |                      |
| Appln. No.:           | 10/763,750             |                      |
| Filing Date:          | January 23, 2004       | Examiner: S. Kennedy |
| Title:                | Micro-Perfusion Device | Group Art Unit: 3762 |

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**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18 day of April, 2005.

  
(Signature)

Sir:

The owner, Disetronic Licensing AG, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,706,009. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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FEE REQUIRED UNDER 37 C.F.R. 1.20(d)

Applicant submits a check in the amount of \$130.00 as required under 37 C.F.R. 1.20(d).

The undersigned is the attorney or agent of record in this application.

Respectfully submitted,

DORSEY & WHITNEY LLP  
Customer Number 25763

Date:

April 18, 2005

By:

David E. Bruhn

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